

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

The Roman Catholic Diocese of Syracuse, New
York,

Debtor.

)
)
) Case No. 20-30663
)
) Chapter 11
)
)
)

**TWELFTH NOTICE OF EXTENSION OF AGREED
STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 105(a)
STAYING CONTINUED PROSECUTION OF CERTAIN LAWSUITS**

IT IS HEREBY STIPULATED by and between The Roman Catholic Diocese of Syracuse, New York (the “Diocese”), the debtor and debtor in possession in the above-referenced case, on the one hand, and the Official Committee of Unsecured Creditors of The Roman Catholic Diocese of Syracuse, New York (the “Committee”), on the other hand, as follows:

A. On February 8, 2021, the Court entered its Agreed Stipulation and Order Pursuant to 11 U.S.C. §105(a) Staying Continued Prosecution of Certain Lawsuits [Docket No. 345] (the “Stipulation and Order”).¹

B. On April 5, 2021, the Diocese filed the first *Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 445].

C. On June 30, 2021, the Diocese filed the *Second Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 549].

¹ Capitalized terms used but not defined herein shall have the same meanings and definitions ascribed to them in the Stipulation and Order.

D. On September 14, 2021, the Diocese filed the *Third Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 689].

E. On December 27, 2021, the Diocese filed the *Fourth Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 802].

F. On April 21, 2022, the Diocese filed the *Fifth Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 875].

G. On July 29, 2022, the Diocese filed the *Sixth Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 986].

H. On October 27, 2022, the Diocese filed the *Seventh Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 1070].

I. On December 16, 2022, the Diocese filed the *Eighth Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 1148].

J. On May 15, 2023, the Diocese filed the *Ninth Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 1270].

K. On July 11, 2023, the Diocese filed the *Tenth Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain*

Lawsuits [Docket No. 1324].

L. On July 27, 2023, the Diocese filed the *Eleventh Notice of Extension of Agreed Stipulation and Order Pursuant to 11 U.S.C. § 105(a) Staying Continued Prosecution of Certain Lawsuits* [Docket No. 1349].

M. This agreement shall constitute an Extension Notice pursuant to the Stipulation and Order, and shall be deemed an amendment of the Stipulation and Order for all purposes.

N. The Diocese and the Committee have agreed to the terms of this Extension Notice.

AND IT IS THEREFORE AGREED THAT:

1. The Termination Date described in the Stipulation and Order shall be extended through and including 11:59 p.m. on June 15, 2024.

2. The Diocese shall not file a chapter 11 plan prior to the Termination Date without the prior written consent of the Committee.

3. Neither the Committee, nor any other party in interest shall file a chapter 11 plan prior to the Termination Date without the prior written consent of the Diocese.

4. Neither the Diocese or Committee shall file any objection to proofs of claim filed by Sexual Abuse Claimants, as that term is defined in the *Bar Date Order Establishing April 15, 2021 as the Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof* [Docket No. 214] or to Adult Claims, as that term is defined in the *Order Establishing Supplemental Bar Date for Adult Claims* [Docket No. 1083] prior to the Termination Date.

5. The Diocese and Committee agree to the continuance of any hearing on the *Motion of the Official Committee of Unsecured Creditors Seeking Authority Pursuant to Rule 2004 to Subpoena Documents and Testimony* [Docket No. 204] and *The Official Committee of Unsecured Creditors' Motion for Entry of an Order Pursuant to Bankruptcy Rule 2004 Authorizing the*

Committee to Subpoena the Production of Documents [Docket No. 1027] to a date after the Termination Date.

6. Except as provided herein, the terms of the Stipulation and Order shall remain in full force and effect.

7. Nothing set forth herein, nor any information exchanged pursuant to the Stipulation and Order, is intended or shall be deemed to have any preclusive effect or constitute any admission or acknowledgement of any fact, conclusion of law, potential liability or liability of any party. Except as otherwise provided herein, all parties shall be deemed to reserve all available rights, remedies, claims and defenses without waiver.

8. Nothing in the Stipulation and Order shall be construed to limit the rights of any individual from seeking an order of a court of competent jurisdiction to allow such individual to assert a CVA Action against a Stay Defendant under a pseudonym.

9. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Extension Notice are immediately effective and enforceable upon its entry.

10. The Diocese or any Stay Defendant is authorized to file a copy of this Extension Order with any court in which a CVA Action is or may hereafter become pending as proof that such action is stayed and enjoined as set forth herein.

11. Nothing herein shall be construed to limit or affect any party's right to seek appropriate relief from this Court to the extent necessary to respond to any actions by a court in which a CVA Action is pending that, but for the stay provided herein, would require a party to act before the Termination Date.

12. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Stipulation and Order.

STIPULATED AND AGREED TO AS OF December 8, 2023 BY:

BOND, SCHOENECK & KING, PLLC

STINSON LLP

By: /s/ Stephen A. Donato

Stephen A. Donato (Bar Roll #101522)
Charles J. Sullivan (Bar Roll #507717)
Grayson T. Walter (Bar Roll #518237)
One Lincoln Center
Syracuse, NY 13202-1355
Telephone: (315) 218-8000
Email: sdonato@bsk.com
csullivan@bsk.com
gwalter@bsk.com

*Attorneys for The Roman Catholic Diocese of
Syracuse, New York*

By: /s/ Robert T. Kugler

Robert T. Kugler (MN # 194116)
Edwin H. Caldie (MN # 388930)
50 South Sixth Street, Suite 2600
Minneapolis, MN 55402
Main: 612-335-1500
Facsimile: 612-335-1657
Email: robert.kugler@stinson.com
ed.caldie@stinson.com

*Counsel to the Official Committee of
Unsecured Creditors*